

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIM NO. 14-20525

-vs-

HON. LAURIE J. MICHELSON

D-1 NATHANIEL PEMBROOK,
D-2 DAVID BRILEY,
D-3 SHAEEED CALHOUN,
D-4 ORLANDO JOHNSON

VIOLATIONS:
18 U.S.C. §§ 1951(a), 2
18 U.S.C. §§ 924(c), 2
18 U.S.C. §§ 922(g), 2

Defendants.

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

2014 OCT 15 PM 4:22
U.S. DIST. COURT CLERK
EAST DIST. MICH.
DETROIT

FILED

COUNT ONE

(18 U.S.C. §§1951(a), 2 - *Interference with Commerce by Robbery; Aiding and Abetting*)

That on or about April 22, 2014, in the Eastern District of Michigan, Southern Division, defendants NATHANIEL PEMBROOK, DAVID BRILEY, SHAEEED CALHOUN, and ORLANDO JOHNSON did unlawfully obstruct, delay, and affect interstate commerce, and the movement of articles and commodities in such commerce, by robbery of a

jewelry store that was engaged in commercial activity that affects interstate commerce; namely: Tapper's Diamonds and Fine Jewelry, located at 6337 Orchard Lake Road, West Bloomfield, Michigan. Defendants aided and abetted each other and others to unlawfully take property from the presence of store employees and against their will by means of actual and threatened force, violence and fear of injury; that is: robbery of the employees and store at gun point, all in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT TWO

(18 U.S.C. §§ 924(c), 2 – *Possession of a Firearm in Furtherance of a Crime of Violence; Aiding and Abetting*)

That on or about April 22, 2014, in the Eastern District of Michigan, Southern Division, defendants NATHANIEL PEMBROOK, DAVID BRILEY, SHAEED CALHOUN, and ORLANDO JOHNSON did knowingly aid and abet the use and carrying of a firearm during and in relation to a crime of violence for which Defendants may be prosecuted for in a court of the United States, that is Interference with Commerce by Robbery as set forth in Count One, such firearm was brandished during a robbery of Tapper's Diamonds and Fine Jewelry, located at

6337 Orchard Lake Road, West Bloomfield, Michigan, all in violation of Title 18, United States Code, Sections 924(c) and 2.

COUNT THREE

(18 U.S.C. §§1951(a) – *Conspiracy to Interfere with Commerce by Robbery*)

That from on or about April 20, 2014, to April 22, 2014 in the Eastern District of Michigan, Southern Division, and elsewhere, defendants NATHANIEL PEMBROOK, DAVID BRILEY, SHAEED CALHOUN, and ORLANDO JOHNSON did unlawfully conspire with each other and with persons known and unknown to the grand jury, to obstruct, delay, and affect interstate commerce, and the movement of articles and commodities in such commerce, by robbery of a jewelry store that was engaged in commercial activity that affects interstate commerce; including but not limited to: Tapper's Diamonds and Fine Jewelry, located at 6337 Orchard Lake Road, West Bloomfield, Michigan; and Medawar Jewelers, located at 4518 Plainfield Ave, Grand Rapids, Michigan.

Defendants agreed and planned with each other and others to unlawfully take property from the presence of store employees and against their will by means of actual and threatened force, violence and fear of injury; that is: robbery of the employees and store at gun point, all in violation of Title 18, United States Code, Section 1951(a).

COUNT FOUR

(18 U.S.C. §§ 924(c), 2 – *Possession of a Firearm in Furtherance of a Crime of Violence; Aiding and Abetting*)

That from on or about April 20, 2014, to April 22, 2014, in the Eastern District of Michigan, Southern Division, defendants NATHANIEL PEMBROOK, DAVID BRILEY, SHAEED CALHOUN, and ORLANDO JOHNSON did knowingly aid and abet the use and carrying of a firearm during and in relation to a crime of violence for which Defendants may be prosecuted for in a court of the United States, that is Conspiracy to Interfere with Commerce by Robbery as set forth in Count Three, such firearm was brandished during a robbery of Tapper's Diamonds and Fine Jewelry, located at 6337 Orchard Lake Road, West Bloomfield, Michigan; and at Medawar Jewelers, located at 4518

Plainfield Ave, Grand Rapids, Michigan; all in violation of Title 18, United States Code, Sections 924(c) and 2.

COUNT FIVE

(18 U.S.C. §§ 922(g), 2 – *Possession of a Firearm by a Felon; Aiding and Abetting*

That on or about April 22, 2014, in the Eastern District of Michigan, Southern Division, the defendants, NATHANIEL PEMBROOK, DAVID BRILEY, SHAEED CALHOUN, and ORLANDO JOHNSON, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, and did aid and abet others to possess, in and affecting interstate commerce, a firearm, said firearm having been shipped and transported in interstate commerce; in violation of

Title 18, United States Code, Sections 922(g) and 2.

THIS IS A TRUE BILL.

/s/ Grand Jury Foreperson
Grand Jury Foreperson

BARBARA L. MCQUADE
United States Attorney

/s/ Christopher Graveline
CHRISTOPHER GRAVELINE
Chief, Violent and Organized Crimes Unit

/s/ Daniel L. Lemisch
DANIEL L. LEMISCH
Assistant U.S. Attorney

Dated: October 15, 2014

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 14-20525
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Information		Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	AUSA's Initials: <i>CG</i>

Case Title: USA v. Nathaniel Pembrook, et al.

County where offense occurred : Wayne County and Elsewhere

Check One: Felony Misdemeanor

Indictment/ Information --- no prior complaint.
 Indictment/ Information --- based upon prior complaint [Case number:]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below.]

U.S. POSTAGE
PAID
OCT 15 2014
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4:22

Superseding Case Information

Superseding to Case No: 14-20525 Judge: Laurie J. Michelson

Original case was terminated; no additional charges or defendants.
 Corrects errors; no additional charges or defendants.
 Involves, for plea purposes, different charges or adds counts.
 Embraces same subject matter but adds the additional defendants or charges below:

Defendant name	Charges	Prior Complaint (if applicable)
D-1 Nathaniel Pembrook	18 USC Sect 1951(a), 2	
D-2 David Briley	18 USC Sect 924(c), 2	
D-3 Shaeed Calhoun	18 USC Sect 922(g), 2	
D-4 Orlando Johnson		

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

October 15, 2014

Date



Christopher Graveline
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Attorney Bar #: P69515

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.